



STATE MINING AND GEOLOGY BOARD

EXECUTIVE OFFICER'S REPORT

For Meeting Date: March 10, 2012

Agenda Item No. 10: Report on the State Mining and Geology Board's Lead Agency Survey under the Surface Mining and Reclamation Act (SMARA).

INTRODUCTION: At its March 8, 2012, regular business meeting, the Policy and Legislation Committee received a copy of the State Mining and Geology Board's (SMGB) Information Report 2012-08 titled *A Survey of Lead Agencies Affected by the Surface Mining and Reclamation Act (SMARA)*, and requested that such report be presented to the whole SMGB.

BACKGROUND: On occasion, the SMGB requests from its staff comprehensive or focused analysis for topics of interest to the SMGB, prior to making policy decisions. At the request of SMGB Policy and Legislation Committee during its meetings held on October 14 and November 10, 2010, a survey of SMARA lead agencies affected by SMARA was requested. Such survey was conducted and the resultant Information Report No. 2012-08 has been completed. Information Report 2012-08 is titled "*A Survey of Lead Agencies Affected by the Surface Mining and Reclamation Act*". SMGB Information Report 2012-08 does not set forth policy, but rather presents information that the SMGB considers in setting policy.

SMARA provides a comprehensive surface mining and reclamation policy for the regulation of surface mining operations. SMARA encourages the production, conservation, and protection of the State's mineral resources, and assures that adverse environmental impacts are minimized and mined lands are reclaimed to a usable condition.

In evaluating ways the SMGB and Department of Conservation can better assist lead agencies affected by SMARA, and considering ways of streamlining SMARA, the SMGB conducted a survey of affected lead agencies between December 2010 and February 2011. A ten-question questionnaire was forwarded to all 115 lead agencies. Results received were compiled and tabulated. Based on responses received, lead agencies affected by SMARA could be well-served by enhancing and expanding outreach efforts toward those lead agencies affected by SMARA, commencing efforts to streamline SMARA and minimize the amount of duplicity in the SMARA program, continuing efforts implemented by OMR to tailor workshops to the specific needs of its stakeholders, encourage lead agencies that do not have sufficient resources to oversee their respective SMARA program to forfeit SMARA responsibilities and obligations to the SMGB for a minimum of three years, and/or explore funding sources at the State and Federal levels for outreach and education to lead agencies and the public to fulfill the intent of State policy pertaining to SMARA.



Executive Officer's Report

EXECUTIVE OFFICER RECOMMENDATION: The information being presented is for the SMGB's information, and no recommendations are offered at this time.

Respectfully submitted:



Stephen M. Testa
Executive Officer

